



EXPRESS MAIL MAILING LABEL NO. EL988704505US

PATENT

Attorney Docket No. OPT-003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: Farrar et al.  
SERIAL NO.: 09/155,708 GROUP NO.: 1635  
FILING DATE: April 2, 1998 EXAMINER: Janet L. Epps Ford  
TITLE: GENETIC SUPPRESSION AND REPLACEMENT

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and publications are enclosed.

In addition, Applicants wish to call to the Examiner's attention the following commonly-owned, co-pending patent applications and Office Actions issued therein:

- 1) U.S. Serial No. 09/142,125, Attorney Docket No. OPT-001, filed on 4/12/99, by Farrar et al.;
- 2) U.S. Serial No. 10/000,773, Attorney Docket No. OPT-001CP, filed on 11/30/01, by Farrar et al.;
- 3) U.S. Serial No. 09/043,506, Attorney Docket No. MUR-002, filed on 9/23/96, by Farrar et al., now U.S. Patent No. 6,713,457;
- 4) U.S. Serial No. 10/742,656, Attorney Docket No. OPT-002DV, filed on 12/19/03, by Farrar et al.; and
- 5) U.S. Serial No. 10/651,754, Attorney Docket No. OPT-006, filed on 8/29/03, by Farrar et al.

**REMARKS**

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or
- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

#### STATEMENT

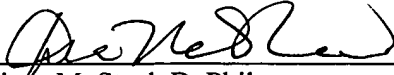
As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

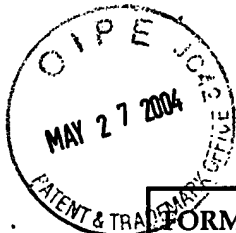
Respectfully submitted,

Date: May 27, 2004  
Reg. No. 43,153

Tel. No.: (617) 310-8168  
Fax No.: (617) 248-7100

  
\_\_\_\_\_  
Diana M. Steel, D. Phil.  
Attorney for Applicants  
Testa, Hurwitz, & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110

3072984



EXPRESS MAIL MAILING LABEL NO. EL988704505US

<b>FORM PTO - 1449</b>				<b>ATTORNEY DOCKET NO.:</b> OPT-003					
<b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</b>				<b>APPLICANTS:</b> Farrar					
				<b>SERIAL NO.:</b> 09/155,708					
				<b>FILING DATE:</b> April 2, 1998					
				<b>GROUP:</b> 1635					
<b>U.S. PATENT DOCUMENTS</b>									
<b>EXAM. INIT.</b>		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>NAME</b>		<b>CLASS</b>	<b>SUB CLASS</b>	<b>FILING DATE IF APPROPRIATE</b>	
<b>FOREIGN PATENT DOCUMENTS</b>									
<b>EXAM. INIT.</b>		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>COUNTRY CODE</b>	<b>CLASS</b>	<b>SUB CLASS</b>	<b>FILING DATE</b>	<b>ABSTRACT ONLY</b>	<b>ENGLISH LANG (Y/N)</b>
<b>OTHER ART, JOURNAL ARTICLES, ETC.</b>									
<b>EXAM. INIT.</b>	<b>OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)</b>								
	CCU	Akhtar et al. (1997) <i>In Vivo</i> Studies with Antisense Oligonucleotides, Elsevier Science Ltd., Vol. 18, pp. 12-18.							
<b>EXAMINER</b>					<b>DATE CONSIDERED</b>				